

Attorney's Reference Number: 1345-001/ddh

2. Remarks.

The Examiner's careful review of the application is noted and appreciated.

a. *Summary of the Rejections*

Claims 1 – 8 and 10 – 15 are rejected as anticipated by USP 4,302,971.

Claims 1 – 4, 7, 9 – 13 and 15 are rejected as anticipated by USP 4,469,452.

Claims 1 – 4, 7, 10 – 16 and 20 are rejected as anticipated by GB 2145224.

Claims 1 – 4, 7, 9 – 13 and 15 are rejected as anticipated by USP 4,509,533.

Claims 17 – 19 are rejected as obvious over GB 2145524.

b. *Discussion*

Independent claims 1, 11 and 16 are amended to recite that the claimed temperature module includes a first temperature indicating portion, and a second temperature indicating portion. The first provides an indication of the temperature of the hoof on a real-time basis; the second however provides an indication that the temperature of the hoof has exceeded a predetermined threshold value. With reference to the embodiment illustrated in Fig. 5 of the subject application, temperature indicator 28 provides a real-time measure of hoof temperature (see, e.g., page 12 of the specification). On the other hand, temperature indicator 34 provides and irreversible indication that hoof temperature has exceeded some predetermined value. This dual indicator is beneficial to the horse owner because it allows instant, real-time monitoring of the animal's hoof condition, and also an historical indication of whether problems (i.e., elevated hoof temperature) have occurred.

None of the patents cited by the Examiner disclose, teach or suggest the claimed combination. US '971, US '533 and GB '224 all describe temperature indicators that are reversible. That is, the temperature indication (whether numeric, coloric or both) changes as the temperature of the measured body changes. On the other hand, US '452 describes an irreversible temperature indicator that includes an activator phase that intermixes with a cholesteric phase by penetrating a barrier when a predetermined temperature has been exceeded.

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While US '452 thus broadly teaches an irreversible temperature indicator, there is nothing to suggest that such an indicator could be combined with the temperature strips described in the other cited patents (i.e., US '971, US '533 and GB '224). Likewise, there is nothing in these temperature strip patents that would suggest any benefit to be had from an irreversible module included on the strip.

Furthermore, it is plain that US '452 could not be combined with the teachings of US '971, US '533 or GB '224 because the irreversible indicator of US '452, with its temperature-sensitive barrier material between the activator phase and cholesteric phase is incompatible with a temperature module as claimed.

Accordingly, independent claims 1, 11 and 16 as amended herein are neither anticipated by nor obvious in view of the cited patents, whether alone or in combination.

Allowance of all claims in the application is requested. If the Examiner has any questions or needs further information he is requested to contact the undersigned by telephone.

Respectfully submitted,



Douglas D. Hancock
Registration No. 35,889

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ipsolon llp
805 S.W. Broadway, #2740
Portland, Oregon 97205
phone: (503) 249-7066

cc: Jeffrey Winnie